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**FACSIMILE COVER LETTER**

**To:** Commissioner For Patent  
Examiner, James S. Wozniak

**Firm:** United State Patent and Trademark Office  
Group Art Unit 2626

**Fax No.** 571 273-8300

**From:** William S. Frommer

**Date:** April 3, 2008

**Re:** US Patent Application No. 10/617,347  
Sony Ref.: S03P0857US00  
Sony IPD: Naoyuki Hirota  
Our Ref.: 450100-04657

**No. of Pages:** 3  
(including cover page)

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PATENT  
 450100-04657

APR 3 2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Kondo, Tetsujiro, et al.  
 Serial No. : 10/617,347  
 For : INFORMATION ENCODING APPARATUS AND  
 METHOD, INFORMATION DECODING APPARATUS  
 AND METHOD, RECORDING MEDIUM UTILIZING  
 SPECTRAL SWITCHING FOR EMBEDDING  
 ADDITIONAL INFORMATION IN AN AUDIO SIGNAL (AS  
 AMENDED)  
 Filed : July 10, 2003  
 Examiner : Wozniak, James S.  
 Art Unit : 2626  
 Confirmation No. : 2741

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 Signature  
 April 3, 2008  
 Date of Signature

**RESPONSE TO EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop Issue Fee  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

This is in response to the Examiner's Statement of Reasons for Allowance, which  
 accompanied the Notice of Allowance mailed January 28, 2008. To the extent the Examiner's

PATENT  
450100-04657

Statement of Reasons for Allowance states, implies or is construed to mean that the claims are allowable over the prior art of record because the Examiner believes the claims should be interpreted to include one or more features or limitations not recited therein, Applicants' attorney disagrees with such an interpretation. Moreover, it is Applicants' contention that there is no particular limitation in the allowed claims that is more critical than any other. The issuance of the Examiner's Statement of Reasons for Allowance should not be construed as a surrender by Applicants of any subject matter. It is the intent of Applicants, by their attorney, to construe the allowed claims so as to cover the invention disclosed in the instant application and all equivalents to which the claimed invention is entitled.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
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